IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4691 OF 2004

Ms.Jyoti Joseph David ...Applicant

Versus

State of Maharashtra ...Respondent

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Mr.M.K.Kocharekar for Applicant.

Mr.K.V.Saste, A.P.P. for Respondent.

Mr.S.J.Ghogare for Original Complainant.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 1, 2004.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. Learned A.P.P. fairly accepts that the co-accused has been released on regular bail by the Court below. He submits on instructions that the Public Prosecutor has advised that it is not a fit case for cancellation of bail. He further states,

on instructions, that the custodial interrogation of the Applicant is not necessary.

3. None of the offence, for which the Applicant is being proceeded with, is punishable with sentence exceeding seven years. In the peculiar facts and circumstances of the case, I think it appropriate to grant anticipatory bail to the Applicant. Learned A.P.P., on instructions, has not objected to grant of anticipatory bail. Accordingly, the Applicant is granted anticipatory bail on the following terms :

(a) The Applicant is granted anticipatory bail in connection with C.R.No.204/04 and C.R.No.340/04 registered with Khar Police Station, on executing personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with two local sureties in the like amount.

(b) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(c) The Applicant shall comply with the conditions specified in Section 438 (2) of the Criminal Procedure Code, as applicable to the State of Maharashtra.

. Application allowed on the above terms.

A.M.KHANWILKAR, J.